

IFW



Certification of Mailing or Facsimile Transmission I hereby certify that I have reasonable basis to expect that, on the date shown below, this correspondence is being submitted as indicated below: <input checked="" type="checkbox"/> mailed or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 <input type="checkbox"/> facsimile transmitted to the U.S. Patent and Trademark Office via fax number (703) 872-9306	
Name	Linda M. Sivik
Registration No. (if applicable)	44,982
Signature	<i>Linda M. Sivik</i>
Date	October 25, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/803,126
 Applicant(s) : James Robert Schwartz et al.
 Filed : 03/17/2004
 Title : Augmentation of Pyrithione Activity or a Polyvalent Metal Salt of Pyrithione Activity by Zinc-Containing Layered Material
 TC/A.U. : 1615
 Examiner :
 Conf. No. : 4865
 Docket No. : 9183M&
 Customer No. :

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made on the attached Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

[X] 37 C.F.R. §1.97(b)(3) - (use when filing IDS more than 3 months after filing a nonprovisional patent application, but prior to receipt of first Office Action)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(3). An Office Action on the merits in the present application has not yet been received. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the

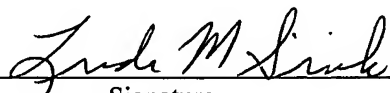
name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:

[X] (For use with applications filed after June 30, 2003.) In accordance with 37 C.F.R. §1.98(a)(2), copies of only foreign patent documents and non-patent literature are enclosed.

[X] It is respectfully request that the Examiner consider and make of record the co-pending applications listed on the attached page.

Date: *October 25, 2004*
Customer No. 27752
(IDS.doc) (Last Revised 10/01/2004)



Signature

Linda M. Sivik

Typed or printed name
Registration No. 44,982
(513) 626-4122

CO-PENDING U.S. APPLICATIONS

<u>Atty. Docket No.</u>	<u>Serial Number</u>	<u>Inventor(s)</u>	<u>Filing Date</u>
9184M	10/802,166	Schwartz et al.	03/17/2004
9185M	10/742,557	Schwartz et al.	12/19/2003

[Only applications that remain pending at the time of submitting **this IDS** should be listed here. For applications that have published or issued as patents, the published applications or granted patents should be listed on Form PTO/SB08.]

Please type a plus sign (+) inside this box → [+]

PTO/SB08A/B (04-03)

Approved for use through 04/30/2003. OMB 0651-0031

Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

<p>Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(use as many sheets as necessary)</p> <p>SHEET 1 of 3</p>	COMPLETE IF KNOWN	
	Application Number	10/803,126
	Confirmation Number	4865
	Filing Date	March 17, 2004
	First Named Inventor	James Robert Schwartz
	Group Art Unit	1615
	Examiner Name	
	Attorney Docket Number	9183M&

U. S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	DOCUMENT NUMBER Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	1	US-2396278	03-12-1946	LIND, OTTO	
	2	US-2438091	03-16-1948	LYNCH, KATHRYN L.	
	3	US-2486921	11-01-1949	BYERLY, DAVID R.	
	4	US-2486922	11-01-1949	STRAIN, BRUCE	
	5	US-2528378	10-31-1950	MANNHEIMER, HANS S.	
	6	US-2658072	11-03-1953	KOSMIN, MILTON	
	7	US-2694668	11-16-1954	FRICKE, HOWARD H.	
	8	US-2786847	03-26-1957	CISLAK, FRANCIS E.	
	9	US-2798053	07-02-1957	BROWN, HAROLD P.	
	10	US-2809971	10-15-1957	BERNSTEIN, J. ET AL.	
	11	US-2826551	03-11-1958	GEEN, HENRY C.	
	12	US-3152046	10-06-1964	KAPRAL, ALES M.	
	13	US-3155591	11-03-1964	HILFER, HARRY	
	14	US-3236733 A	02-22-1966	KARSTEN, KEN. ET AL.	
	15	US-3332880	07-25-1967	KESSLER, ADRIAAN	
	16	US-3589999	06-29-1971	MCRAE, W. A. ET AL.	
	17	US-3590035	06-29-1971	DAMICO, RALPH A.	
	18	US-3753196	08-14-1973	KURTZ, ANTHONY D.	
	19	US-3761418	09-25-1973	PARRAN, JOHN J.	
	20	US-3773770	11-20-1973	DAMICO, RALPH A.	
	21	US-3852441	12-03-1974	KOOISTRA, JR., JOHN A.	
	22	US-3929678	12-30-1975	LAUGHLIN, ROBERT G.	
	23	US-3940482	02-24-1976	GRAND, PAUL SHELDON	
	24	US-3959461	05-25-1976	BAILEY, AUGUST V.	
	25	US-3964500	06-22-1976	DRAKOFF, RAYMOND	
	26	US-4055655	10-25-1977	MAURER, G.L. ET AL.	
	27	US-4089945	05-16-1978	BRINKMAN, RICHARD E.	
	28	US-4152416	05-01-1979	SPITZER, JOSEPH G.	
	29	US-4161526 A	07-17-1979	GORMAN, WILLIAM G.	
	30	US-4197865	04-15-1980	JACQUET, BERNARD	
	31	US-4217914	08-19-1980	JACQUET, BERNARD	
	32	US-4323683	04-06-1982	BOLICH, RAYMOND E.	
	33	US-4345080	08-17-1982	BOLICH, RAYMOND E.	
	34	US-4364387	12-21-1982	LARKIN, MARK E.	
	35	US-4379753	04-12-1983	BOLICH, RAYMOND E.	
	36	US-4381919	05-03-1983	JACQUET, BERNARD	
	37	US-4387090	06-07-1983	BOLICH, RAYMOND E.	
	38	US-4422853	12-27-1983	JACQUET, BERNARD	
	39	US-4470982	09-11-1984	WINKLER, WILLIAM M.	
	40	US-4507280	03-26-1985	POHL, STANLEY	
	41	US-4529586	07-16-1985	DE MARCO, RICHARD	
	42	US-4608183	08-26-1986	ROSSMOORE, HAROLD	
	43	US-4663158	05-05-1987	WOLFRAM, LESZEK J.	
	44	US-4666616	05-19-1987	ROSSMOORE, HAROLD	
	45	US-4670430	06-02-1987	IMAMURA, TAKASHI	
	46	US-4686254	08-11-1987	LOCHHEAD, ROBERT Y.	
	47	US-4704272	11-03-1987	OH, YOUNG S.	
	48	US-4788006	11-29-1988	BOLICH, RAYMOND E.	
	49	US-4834767	05-30-1989	HELIOFF, MICHAEL W.	
	50	US-4885107	12-05-1989	WETZEL, THOMAS A.	

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	COMPLETE IF KNOWN	
	Application Number	10/803,126
	Confirmation Number	4865
	Filing Date	March 17, 2004
	First Named Inventor	James Robert Schwartz
	Group Art Unit	1615
	Examiner Name	
	Attorney Docket Number	9183M&

SHEET 2 of 3

U. S. PATENT DOCUMENTS (continued)

51	US-4898585	02-06-1990	BORSANYI, ALEXANDER	
52	US-5057153	10-15-1991	RUGGIERO, MURRAY A.	
53	US-5104646	04-14-1992	BOLICH, RAYMOND E.	
54	US-5106609	04-21-1992	BOLICH, RAYMOND E.	
55	US-5227156 A	07-13-1993	WEISE, ROBERT S.	
56	US-RE 34584	04-12-1994	GROTE, MARK B.	
57	US-5518774 A	05-21-1996	KAPPOCK, PAUL ET AL.	
58	US-5540954 A	07-30-1996	NICHOLAS, DARREL D.	
59	US-5562995 A	10-08-1996	KAPPOCK, PAUL S.	
60	US-5614538 A	03-25-1997	NELSON, JOHN D. JR.	
61	US-5674478	10-07-1997	DODD, MICHAEL T.	
62	US-5696169 A	12-09-1997	ARIMA, YAENO ET AL.	
63	US-5750122	05-12-1998	EVANS, JOEL F.	
64	US-5798121	08-25-1998	CAUWET, D.	
65	US-5837661	11-17-1998	EVANS, MARK D.	
66	US-5854319	12-29-1998	O'LENICK, ANTHONY J.	
67	US-5883154 A	03-16-1999	KAPPOCK, PAUL S.	
68	US-5939203	07-17-1999	KAPPOCK, PAUL ET AL.	
69	US-6017562	01-25-2000	KAUFMAN, C.W. ET AL.	
70	US-6034043 A	03-07-2000	FUJIWARA, MITSUKO	
71	US-6309628	10-30-2001	ANSMANN, A.	
72	US-6333040	12-25-2001	BOYXEN, N.	
73	US-RE37793 E	07-16-2002	DOMENICO	EQUIVALENT TO WO-99-21568 A1
74	US-6495538 B2	12-17-2002	FLISS, HENRY	
75	US-2003/0119805 A1	06-26-2003	FLISS, HENRY	
76	US-6774096 B1	08-10-2004	PAYE, MARC	
77	US-2004/0167114 A1	08-26-2004	FLISS, HENRY	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	FOREIGN PATENT DOCUMENT Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
	1	GB-849433	09-28-1960	WOOLSTON, RAYMOND		
	2	GB-2141929 A	01-09-1985	VICTORIA STATE		
	3	GB-2230190 A	10-17-1990	IMPERIAL CHEMICAL IND.		
	4	EP-0077630 B1	04-17-1985	BEECHAM GROUP PLC		
	5	EP-1161869 A	12-12-2001	SHISEIDO CO LTD.		
	6	FR-2593801 A1	08-07-1987	MIKROKEMIA IPARI		
	7	JP-52 092881 A	08-04-1977	NONOGAWA SHOJI KK	ABSTRACT ONLY	T
	8	JP-HEI 6[1994]-134227	05-17-1994	SHINTO PAINT CO., LTD.		T
	9	JP-HEI 7 [1995]-118103	05-09-1995	DAIWA CHEMICAL		T
	10	WO-94/10973 A1	05-26-1994	UNILEVER		
	11	WO-96/25913 A	08-29-1996	UNILEVER PLC.		
	12	WO-98/47372 A1	10-29-1998	OLIN CORP		
	13	WO-99/59540 A1	11-25-1999	THE BOOTS CO.		
	14	WO-01/00021 A	01-04-2001	ARCH CHEM		
	15	WO-01/00151 A	01-04-2001	ARCH CHEM; P&G		
	16	WO-01/41727 A1	06-14-2001	ETHICON		
	17	WO-01/93817 A1	12-13-2001	CASERO		
	18	WO-02/32381 A2	04-25-2002	PROCTER & GAMBLE		
	19	WO-02/076422 A1	10-03-2002	L'OREAL		T
	20	WO-02/080943 A1	10-17-2002	FLISS, HENRY		
	21	WO-03/088957 A1	10-03-2003	PROCTER & GAMBLE CO.		
	22	WO-03/082229 A1	10-09-2003	SHISEIDO	ABSTRACT ONLY	T
	23	WO-03/088965 A1	10-30-2003	PROCTER & GAMBLE CO.		

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) SHEET 3 of 3	COMPLETE IF KNOWN	
	Application Number	10/803,126
	Confirmation Number	4865
	Filing Date	March 17, 2004
	First Named Inventor	James Robert Schwartz
	Group Art Unit	1615
	Examiner Name	
	Attorney Docket Number	9183M&

NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	1	SAXTON, CHARLES A. ET AL., "Antiplaque effects and mode of action of a combination of zinc citrate and a nonionic antimicrobial agent", <u>Scandinavian Journal of Dental Research</u> , June 1988, p. 212-217, vol. 96, no. 3, XP-001079620, Copenhagen, Denmark.	
	2	<u>Encyclopedia of Polymer Science and Engineering</u> , 1989, pp. 204-308, Vol. 15, Second Edition, John Wiley & Sons, Inc.	
	3	D.J. BURGESS, "Practical Analysis of Complex Coacervate Systems", <u>Journal of Colloid and Interface Science</u> , Nov. 1990, pp. 227-238, Vol. 140, No. 1, Academic Press, Inc.	
	4	<u>CTFA Cosmetic Ingredient Dictionary</u> , 1982, 3 rd Edition, The Cosmetic, Toiletry, and Fragrance Association, Inc., Washington, D.C. (book not enclosed)	
	5	VAN OSS, C.J., "Coacervation, Complex-Coacervation and Flocculation", <u>J. Dispersion Science and Technology</u> , 1989, pp. 561-573, Vol. 9 (5,6), Marcel Dekker, Inc.	
	6	NOLL, WALTER, <u>Chemistry and Technology of Silicones</u> , 1968, Academic Press, Inc., New York, NY. (book not enclosed)	
	7	McCUTCHEON, <u>Emulsifiers and Detergents</u> , 1989, MC Pub Co. (book not enclosed)	
	8	BASF, "Z-Cote microfine zinc oxide", XP-002287832, 2000, P. 1-7.	
	9	VAN CUTSEM, J. ET AL, XP-002288119, <u>Journal of the American Academy of Dermatology</u> , 1998, Vol. 22, No. 61, p. 993-998, Amsterdam.	
EXAMINER			DATE CONSIDERED